104(d) Unwarrantable Failure

Section I--Violation Data

U.S. Department of Labor Mine Safety and Health Administration





1. Date	Mo Da Yr	2. Time (24 Hr. Clock) 0945				B. Citation/ Order Number	709864	4
ad To	12/14/2005	1 0943		5. Operator				
	over, Safety		I	ANKER WEST	Γ VIRGIN	IA MINING	COMPAN	Y INC
6. Mine				7. Mine ID 16	-08791		,	· · · · · · · · · · · · · · · · · · ·
SAGO MII	NE			40	-08/91			(Contractor)
8. Condition of	r Practice						8a. Written N	Notice (103g)
Accumul	ations of	coal were obse	erved on	the mining	g secti	ion MMU-0	06 meas	suring in
varying	amounts	in the last ope	en row of	breaks an	nd 1 bi	ceak out	by and	in
entries	. These	accumulations of	were left	from prev	ious n	mining sh	nifts.	The
amounts	were mea	sured along rib	os 6-8 in	ches deep,	in the	e roadway	76-7 in	nches
deep an	d left in	piles on corne	ers of ril	bs measuri	ing 29	inches o	deep 2 t	o 4 feet
long.	The area	involved is in	by spad s	tation 423	37 and	4238 beg	ginning	in
crosscu	ts 1 thru	6 last row of	breaks,	entries 2,	3 and	6, and 1	break	outby
crosscu	it 1-2 ,2-	3 and $6-7$. Whe	en measur	e the line	ear fee	et is app	prox.650	feet.
The sec	tion also	shows fine coa	al deposi	ted on the	mine	roof and	d ribs f	rom
inadequ	ate rock	dusting in that	coal du	st and fir	ne coal	l dust is	lying	on
		leates and on t						
		ined breaks in						_
	See Continuation Form (MSHA Form 7000-3a)							
9. Violation	A. Health Safety V Other	B. Section of Act		nt/Section of le 30 CFR		75.400		
Section II-Inspe	ctor's Evaluation							
10. Gravity:								
A. Injury of	r illness (has) (is):	No Likelihood 🗌 Ur	nlikely 🗀	Reasonably Likely	Hi	ghly Likely 📝	Occurre	d
B. Injury of sonably	rillness could rea- be expected to be:	No Lost Workdays	Lost Workday	ys Or Restricted Du	ıty ⊻	Permanently Dis	abling	Fatal
	ent and Substantial				D.	Number of Pers	ons Affected:	001
11. Negligeno	e (check one)	A. None B. Low	C. Mod	derate	D. High 😿	E. Red	kless Disregar	d
12. Type of A	ction 104(d)(2)	13. Type of Issuar	ice (check one)	Citati	onOrd	er 🗹	Safeguard
14. Initial Acti A. Citation		C. Safeguard D. Writte		E. Citation/ Order Number	709	7827	F. Dated	Mo Da Yr 05/20/2005
15. Area or E	quipment in	by the spad sta	ation numb	ber 4237 a	and 423	38 on the	MMU-00	06 1
left se	ction B P					,		
16. Termination	on Due A. Date	Mo Da Yr B. Time	(24 Hr. Clock)					
Section IIITem	nination Action				'			· · · · · · · · · · · · · · · · · · ·
17. Action to	Terminate The	area was scoop	ed and a	dditional	machir	ne rock o	dusting	was
applied							,	
18. Terminate	IA Date	Da Yr 4/2005 B. Time (24 Hr.	Clock 15	550				
Section IVAuto	mated System Data							
19. Type of In (activity co		20. Event Number	054434	21. Primary	or Mill			
22. Signature	I.La.	mhadh.				23. AR Numb	per 235	663
MSHA Form 70 cotablished a N	00-3, Mar 85 (revised)	In accordance with the provis						

In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1998, the Small Business Administration has obtained a National Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency nent actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the nt actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the high of Contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

4/2/22

Mine	Citation/Order
Conti	nuation





Section ISubsequent Action/Continuation Data							
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 12/1	Da 4/200	Yr 5	3. Citation/ Order Number	7098644	
nd To				. Operat			
Anoonover, Safety					ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine			7	7. Mine II	16.0070	(Contractor)	
SAGO MINE					46-0879	1	
Section II. Justification for Action							

Continuation of 8. Condition or Practice

the coal accumulations. The operator has showed a high degree of negligence for the health and safety of the miners that work at this coal mine by allowing the conditions to exist. This is an unwarrantable failure to comply with a mandatory standard.

Section IIISubse	quent Action Taken							See Continuation Fo
Extended To		Da Y	'r B. Tin	ne (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec 3. Type of Inspec		10	. Event No	imber 4054434				<u> </u>
11. Signature	John m	ka ila /		AR Number 23563	12. Date	Mo Da Yr 12/14/2005	13. Time (24 Hr. Cl 0945	ock)

Mine Citation/Order	•
Continuation	

\sim	,
H	
- 17	



Section I-Subsequent Action/Continuation	n Data						
1. Subsequent Action 1a. Continuat	ion 2. Dated (Original Issue)	Mo Da 12/14/20	Yr 05	3. Citation/ Order Number 7098644 - ()1		
ed To			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO MINE		7. Mine ID (Contractor) 46-08791					
Section IIJustification for Action							
Change	From			То			
10. A. Injury or illness	Highly Likely			Unlikely			
Reason							
10. C. Significant and Substantial	Yes			No			
Reason lower the gravity							
changing gravity							

			See Continuation Form	
Section IIISubsequent Action Taken				
8. Extended To A. Date Mo Da Y	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated ☑ E. Modified	
Section IV-Inspection Data		<u> </u>		
9. Type of Inspection E01 10.	Event Number 4054434			
1' nature Oo	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)	
- (/LD. Mhaul	23563	12/22/2005	0852	
MSHA Form 7000-3a, Mar 85 (revised)			b	,

14 2/2 d



			Time during and readily recommended.					
Section I-Vic	olation Data							
1. Date	Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1630		3. Citation/ Order Number	7149865			
ed To L CRUMRINE, MINE FOREMAN		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC						
6. Mine SAGO M	IINE		7. Mine ID 46	5-08791	(Contractor)			
8. Condition	or Practice				8a. Written Notice (103g)			

The preshift examination conducted on 11-08-05 from 5:00 am to 5:30 am in the 1 Left Mains MMU 006 section was inadequate inthat the following obvious conditions were not recorded in the preshift record book. During a on site inspection the following obvious conditions were citied.

- 1.104(a) citation No. 7149864 30 CFR 75.220(a)(1) No. 4 belt entry width ranged from 21 to 22 feet.
- 2.104(a) citation No.7149863 30 CFR 75.0400 last open crosscut No.3 to2 and No.2 to 1 light coat of float coal dust deposited on the roof, ribs, and mine floor.

							See Co	ontinuation Form (MS	SHA Form 7000-3a) 📝
9. Violation	A. Health Safet Othe	y 🔽	B. Section of Act		C. Part/Section of Title 30 CFR	,	75.	360(f)	
Section II-Insp	ector's Evalu	etion							
10. Gravity:									
A. injury o	r Illness (ha	IS) (IS):	No Likelihood	Unlikely 🗌	Reasonably	Likely 🗹	Highly Like	ly 🗍 O∝	curred 🗀
	r illness cou be expecte		No Lost Work	kdays Lost	Workdays Or Restr	icted Duty 🔽	Permane	ently Disabling	Fatai 🗌
Signific	ant and Su	bstantial:	Yes ✓	No 🗌			D. Number	of Persons Affecte	od: 001
ોegligend	ce (check o	ne)	A. None	B. Low	C. Moderate	D. High	· Z	E. Reckless Disre	egard 🗌
12. Type of A	ction	104(d)(2)	13. Type of	Issuance (check o	ne)	Citation	Order 🗹	Safeguard
14. Initial Acti A. Citation		rder 🕢	C. Safeguard	D. Written Notice	E. Citation/ Order Nu	nber	7097827	F. Dated	Mo Da Yr 05/20/2005
16. Terminati	on Due	A. Date	Mo Da Yr	B. Time (24 Hr. Ck	nck)	· · · · · · · · · · · · · · · · · · ·			
Section III-Ter	minetion Act	ion				l			
17. Action to	Terminate								
18. Terminate	A. Date	Мо	Da Yr B. Tim	e (24 Hr. Clock)					······································
Section IV-Au	tomated Syst	em Data		· · · · · · · · · · · · · · · · · · ·					
19. Type of Ir (activity o		E01	20. Event Number	405443	4 21. P	rimary or Mill			
22. Signature	Rando	6 F	Tremeno	Mark	Janu.	14034	23. Al	R Number	20299

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the nent actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 t, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/Order
Continuation

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Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	Dated (Original Issue)		Da Yr 3/2005	3. Citation/ Order Number	7149865	
ad To			5. Opera			
L CRUMRINE, MINE FOREMAN			ANKE	ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine			7. Mine I	16 0070	(Contractor)	
SAGO MINE				46-0879	1	
SAGO MINE				46-0879	1	

Continuation of 8. Condition or Practice

- 3.104(a) citation No.7148620 diagonal distance in 90 degree 4-way intersections exceeded 60 feet No.5 entry No.23 block, No.5 entry No. 26 block, No. 5 entry No. 25 block, and No. 4 entry station No. 3803.
- 4.104(a) citation No 7098544 30 CFR 75.202(a) loose rib and roof 22 block mantrip station.
- 5.104(a) citation No.7098546 30 CFR 75.220(a)(1) Roof bolt spacing No.7 and No.8 crosscut last open crosscut.
- 6.104(a) citation No.7098545 30 CFR 75.380(d)(1) designated escapeway not maintained in a safe condition, mud and water No.5 entry No.22 block.

					See Continuation Form				
Section III—Subsequent Action Taken									
8. Extended To A. Date Mo Da	B. Time (24 Hr.	Clock)	C. Vacated	D. Terminated	E. Modified				
Section IV—Inspection Data									
9. Type of Inspection E01	10. Event Number	4054434							
11. Signature	AR	Number 12. Da	te Mo Da Yr	13. Time (24 Hr. Clo	ock)				
- Canaled of Fred	reserved 20	299	11/08/2005	1630					
h .rm 7000-3a, Mar 85 (revised)	North Coru	-24034							

Mine	Citation/Order
Conti	nustion



Section I-Subsequent A	ction/Continuation Data					
Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo D		3. Citation/ Order Number	7149865 - 01
red To L CRUMRI	NE, MINE FORE	MAN		5. Operat		INIA MINING COMPANY INC
6. Mine SAGO MINE				7. Mine II	46-0879	(Contractor)
Section II-Justification for	or Action				······	

A supplemental examination was conducted on 11-08-2005 from 11:00 am to 1:00 pm by Carl Crumrine, Mine Foreman and all the listed hazardous conditions were entered in the preshift record book, and all the hazardous conditions were corrected. All foreman were instructed of the requirements on 30 CFR 75.360.

Cardian III Cubanasad A.V. Talan				See Continuation Form				
8. Extended To A. Date Mo Da Yr B. Tirne (24 Hr. Clock)	C. Vacated	☑ D. Terminated	E. Modified				
Section IV-Inspection Data								
9. Type of Inspection E01 10. Event Numb	er 4054434							
11. Signature	AR Number 12. Da 20299	te Mo Da Yr 11/09/2005	13. Time (24 Hr. Clock)					
fi rm 7000-3a, Mar 85 (revised)								

Mine	Citation/Ord	er

Continuation

U.S. Department of Labor Mine Safety and Health Administration

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Section ISubsequent Action/Continuation Data								
1. Subsequent Action 1a. Continuation	Dated (Original Issue)	Mo Da Yr 11/08/2005	3. Citation/ Order Number 7	149865 - 02				
ed To L CRUMRINE, MINE FOREMAN			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO MINE			7. Mine ID (Contractor) 46-08791					
Section II—Justification for Action								
Change F	rom		To					

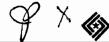
15. Area or Equipment

Reason From no affected area to 1-Left Mains MMU 006 section.

Written in error.

Section IIISubsequent Action Taken 8. Extended To A. Date Mo Da Yr B. Time (24 His Section IVInspection Data 9. Type of Inspection E01 10. Event Number	r. Clock)		C. Vacated	D. Terminated	E. Modified
	4054434				_
\sim \sim	R Number 0299	12. Date	Mo Da Yr 11/09/2005	13. Time (24 Hr. Cloc 1233	ck)

Mine	Oit:	on	do
	·	OH	ue



Section I-Vi	olation Date							
1 te	Mo Da Yr 10/18/2005	2. Time (24 Hr. Clock) 1000	3. Citation/ Order Number	7098364				
carl Crumrine Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING C	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO M	(INE		7. Mine ID 46-08791	(Contractor)				
8. Condition	n or Practice	_	8	a. Written Notice (103g)				

The approved ventilation plan is not being complied with on the 1 left 006 mmu section. The 10SC shuttle cars were observed tramming across the last open crosscut between the # 7 and the #8 entries, 60 feet in-by station spad 3816, with the ventilation control for #7 entry rolled up. When checked with chemical smoke for movement in the face, none could be distinguished. The #7 entry is 69 feet from the in-by corner of the last open crosscut. There is 0.05% methane detected in the face. According to statements this is a standard practice to roll up line brattice ventilating the faces and use the last open crosscuts to transport materials. There is no means provided to indicate that other methods were used such as fly boards and pads to haul the last line and ventilate the working faces. Also citation #7098367 was written for no ventilation provided to within 10' of

							See Co	ontinuation Form (MSHA	A Form 7000-3a) 🗹
9. Violation	A. Health Safety V	B. Section of Act		1	Part/Section of itle 30 CFR		75.33	30(b)(1)	
Section II-Inspec	ctor's Evaluation								
10. Gravity:									
	Iliness (has) (ood 🗍 U	Inlikely 🗹	Reasonably I	ikely 🗌	Highly Like	y 🗌 Occur	red 🗔
	illness could be expected to		t Workdays 🗍	Lost Workd	ays Or Restric	ted Duty 🔀	Permane	ntly Disabling	Fatal
ignifica	int and Substa	ıntial: Ye	s □ No 🔽]			D. Number	of Persons Affected:	001
11. Negligence	(check one)	A. None	B. Low	C. M	oderate 🗌	D. High	₹	E. Reckless Disrega	ard [
12. Type of Ac	tion 1	04(d)(2)		13. Type of Issu	ance (check or	ne) C	itation 🗔	Order 🗹	Safeguard 🗌
14. Initial Action A. Citation		✓ C. Safegua	ard 🖳 D. Writt	en Notice	E. Citation/ Order Num	ber 7	097827	F. Dated	Mo Da Yr 05/20/2005
16. Terminatio	n Due A. I	Mo Da	Yr B. Time	e (24 Hr. Clock)					
Section IIITerm	ination Action								
17. Action to T			ilation	controls	were re	e-establ	ished	to direct	the air
18. Terminated	I A I late	Mo Da Yr 10/18/2005	B. Time (24 Hr.	Clock	1020			1,,	
Section IVAutor	mated System D	ata							
19. Type of Ins (activity co		20. Event	Number	4054434	21. Pri	mary or Mill			
22. Signature	Vartu	Farm		_			23. Al	R Number 24	034

mm 7000-8, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1998, the Small Business Administration has a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency and actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Citz	tion/	Order
Conti	THE.	ion	

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Section I—Subsequent Action/Consquation Data					
sequent Action 1a. Continuation	2. Dated (Original Issue)	Mo [10/18/	a Yr 2005	3. Citation/ Order Number 7098364	
4. Served To			5. Opera	itor	
Carl Crumrine Mine Foreman			ANKE	R WEST VIRGINIA MINING CO	MPANY INC
6. Mine			7. Mine	D 46 00 704	(Contractor)
SAGO MINE				46-08791	
Section II-Justification for Action					

Continuation of 8. Condition or Practice

#6 entry face. This violation is an unwarrantable failure to comply with a mandatory standard.

ection III-Subsequent Action Extended To							
A. Date	Mo Da	Yr B.	Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
ection IV-Inspection Data Type of Inspection E0		10. Even	t Number 4054434				
ature	de Ca	un	AR Number 24034	12. Date	Mo Da Yr 10/18/2005	13. Time (24 Hr. Clo 1000	ck)



Section I-Violation Data 1. Date Mo Da Yr 2. Time (24 Hr. Clock) 3. Citation/ 7097941 Order Number 07/12/2005 0730 vcd To 5. Operator ANKER WEST VIRGINIA MINING COMPANY . Crumrine - Mine Foreman 6. Mine 7. Mine ID 46-08791 (Contractor) **SAGO MINE** 8a. Written Notice (103g) 8. Condition or Practice

The mining methods that were used on the 2 left mains (003) MMU section expose the miners to hazards related to reduced pillar size. Proper sight lines or other methods of directional controls were ether not provided or followed. The #5 entry has been driven off sights to the point that in 60 feet of development the left pillar size has been reduced to a width of 10 feet and 8 inches. The #9 entry has been developed of sights to the point that it cut into the #8 entry after only 56 feet of development. The approved roof control plan provides that the pillar size be maintained at least 35 feet wide. The entry's are being developed on 55 feet centers which leaves the pillar block 35 feet wide. The failure of mine management to provide reasonable sight lines for the miners to follow demonstrates higher than normal neglect as sight lines are fundamental to the systematic

									See Com	inuation rom (i	ABHA FORM (UUU-38) 💇
9. Violation	A. Health Safet Othe	√	B. Section of Act		,		t/Section of 30 CFR		75.20	03 (b)	
Section II-Inspe	ector's Evalu	ation								·-	
10. Gravity: A. Injury or	r Illness (ha	s) (ls):	No Likelih	000d []	Unlikely []	Reasonably	Likely 🗹	Highly L!kely		ccurred
	iliness cou be expecte		No Lo	st Workd	lays 🗌 Los	t Workda	s Or Restr	icted Duty 🗹	Permanen	tly Disabling [Fatal [
Significa	ant and Sui	ostantial:	Ye	s 🗹	No []				D. Number of	Persons Affec	ted: 001
-gligenc	e (check or	ne)	A. None		B. Lowr	C. Mod	erate 🗌	D. High	₹ 8	. Reckless Dis	regard [
12. Type of Ac	ction	104(d)(2)		13. Type	of Issuance	e (check or	Ne) (Citation [Order 🗹	Safeguard [
14. Initial Action A. Citation		rder 🗹	C. Safegu	ard [D. Written Notice		. Citation/ Order Nur	niber	7097827	F. Date	Mo De Yr 05/20/2005
15. Area or Ed	1.	#5 (#9 entry	Tocat	.ea on	the Z-1	Left, 00	2 MINO W	
16. Terminatio	on Due	A. Date	Mo Da	Yr	B. Time (24 Hr. C	lock)					
Section III-Terr	mination Act	on									
	y to		sed as	dir	d due to ectional #9 entry	contr	ol an	d cribs	will be	set be	
18. Terminate	A. Date		Da Yr 2/2005	B. Time	(24 Hr. Clock)	08	00				
Section IV-Auto	omated Syst	em Data									
19. Type of in: (activity co		E01	20. Event	Number	405474	19	21. P	imary or Mill		·	
22. Signature	Kon	ald	Fo	Stak	wait				23. AR	Number	24033

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Falmess Boards to receive comments from small business about federal anamy enforcement actions. The Ombudaman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the ment actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudaman at Small Business Administration, Office of the National Ombudaman, 409-1, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudaman is in addition to any other rights you may have, the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WALL

Mine	Citation/Order
Conti	nuation

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Section I-Subsequent Action/Continuation Data							
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 07/1:	Da 2/200	.,	3. Citation/ Order Number	7097941	
ved To				5. Operato	or		
Crumrine - Mine Foreman				ANKEF	WEST VIRG	INIA MINING COMPANY	
6. Mine				7. Mine ID		(Contractor	7
SAGO MINE			Į		46-0879	1	
Section II—Justification for Action							

Continuation of 8. Condition or Practice

development of a section. This section is a set of mains that will be utilized for years. The small block sizes can not be completely replaced. The miners will be exposed to the danger done for several years to come.

Continuation of 17. Action to Terminate

not be developed beyond this point.

Section III—Subse	quent Action Take	n					See Continuation Form
8. Extended To	A. Date Mo	Da	Yr B. Time (24 Hr.	Clock)	C. Vacated	D. Terminated	E. Modified
Section IV—Inspect 9. Type of Inspec		1	10. Event Number	4054749			
11. Signature	onalel	Voi	''' '	Number 12. Date	Mo Da Yr 07/12/2005	13. Time (24 Hr. Ck 0730	-

orm 7000-3a, Mar 85 (revised)

19. Type of Inspection (activity code)

22. Signature

20. Event Number

octalway

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U.S. Department of Labor Mine Safety and Health Administration



	Time Carety and Flediti Flammadation
Section I-Violation Data	
Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/ 7097836
06/02/2005 0725	5. Operator
Bill Currence Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine	T Mary ID
SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a, Written Notice (103g)
supply haulroad is inadequate in that the by this inspector and should have been given the responsibility of conducting their earliest possible stages. (1) The found by this inspector in the #7 intak the #6 entry (secondary escape way) and charger is energized and charging a set ventilated directly to a return a cours is ventilated with the main intake air 002-0 mmu working super section and this ventilation purposes. (4) The #3 scoop	recognized by any prudent mine examiner a mine examination to detect hazards at #3 scoop battery charging station was e entry at #58 block crosscut between d #7 intake entry. (2) The #3 scoop of scoop batteries which is not e. (3) This #3 scoop charging station that travels directly to the 001-0 & s intake air is used for face battery See Continuation Form (MSHA Form 7000-3a)
Safety of Act Til	art/Section of the 30 CFR 75.360(a)(1)
Other Section II—Inspector's Evaluation	
10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely B. Injury or Illness could ree-	Reasonably Likely ☑ Highly Likely ☐ Occurred ☐ lays Or Restricted Duty ☑ Permanently Disabling ☐ Fatal ☐
Significant and Substantial: Yes ✓ No ✓	D. Number of Persons Affected: 001
11. Negligence (check one) A. None B. Low C. Mc	oderate D. High 🗹 E. Reckless Disregard 🗌
12. Type of Action 104(d)(2) (1) 13. Type of Issuar	nce (check one) Citation Order 🗹 Safeguard 🗌
14. Initial Action A. Citation B. Order 🗹 C. Safeguard D. Written Notice	E. Citation/ 7097827 F. Dated Mo Da Yr 05/20/2005
15. Area or Equipment The #3 scoop charging	station located in the #7 Intake
entry at #58 block which is along the s	
16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock)	
Section III—Termination Action	
17. Action to Terminate Terminated due to the	002-0 mmu section Foreman Rick Bragg
calling out the condition that he detec Bill Currence Mine Foreman and the cond	ted on his on-shift examination to
18 Terminated Mo Da Yr	300

Konald MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small business about federal enforcement actions. The Ombudaman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the ment actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudaman at Small Business Administration, Office of the National Ombudaman, 409 .eet, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudaman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

4054745

21. Primary or Mill

23. AR Number

24033



Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Adminis	stration
Section I-Subsequent Action/Continuation Data			
Subsequent Action 1a. Continuation	2. Dated Mo Da (Original Issue) 06/02/20	Yr 3. Citation/ 005 Order Number 70978.	36
Bill Currence . Mine Foreman		5. Operator ANKER WEST VIRGINIA MI	
6. Mine SAGO MINE		7. Mine ID 46-08791	(Contractor)
Section II—Justification for Action			
scoop charging statio scoop supply haulroad A pre-shift examinati at 6:00 A. has engaged in aggrav a known hazard. This mandatory standard.	and this haulroad on report was cal M. on 06/02/2005 a ated conduct by h	d is regularly travel led out by John Travi as no hazards observe is failure to record	led by the miners. lse, received by ed. John Travise and take action on
Note: order no. 709 Continuation of 17. Action to Terminate in the pre-shift and		ued in conjunction wi	th order.
			<i>w</i>

										See Continuation Fo	orm 🔲
Section III-Subsequent Action Taken											
8. Extended To	A. Date Mo	Da .	Yr	B. Time (24	Hr. Clock)		C. Vaca	ted [D. Terminated	E. Modified	
Section IV-Inspec	tion Data								3		
9. Type of Inspe	ction E01		10. E	vent Number	4054745						
1' ^'qnature	onald	D021	alw	at	AR Number 24033	12. Date	Mo Da Y 06/02/20		3. Time (24 Hr. Cl 0725	ock)	
Mind Fam 7000	20 Mar 95 /m	4									

Mine	Citation/Order
Conti	nuation



Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 06/02/20		Citation/ Order Number	7097836 - 01	
Served To			5. Operator			
Bill Currence Mine Foreman			ANKER V	VEST VIRG	INIA MINING COMPANY INC	
3. Mine			7. Mine ID	46.0050	(Contractor)	
SAGO MINE			46-08791			
Section IIJustification for Action						
Change Fr	om		7	Го		
12. Type of Action1 10-	I(d)(2)		1	104(d)(1)		
Reason Issued under the wrong t	ype of action in erro	o r .	_			

Issued under the wrong type of action in error.

Section III—Subse	quent Action Take	n					 .	· · · · · · · · · · · · · · · · · · ·	See Continuation Form
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr	Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec 9. Type of inspe			10. E	vent Number	4054745				
Signature	onatel	Pos	tal	17	Number 033	12. Date	Mo Da Yr 06/07/2005	13. Time (24 Hr. Clo 0355	ck)

MSHA Form 7000-3a, Mar 85 (revised)



Mine	Citation/Order	•
Conti	nuation	



	· · · · · · · · · · · · · · · · · · ·
Section I—Subsequent Action/Continuation Data	
1. Subsequent Action 1a. Continuation 2. Dated Mo Da (Original issue) 06/02/2	" 1
Served To	5. Operator
Bill Currence Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE	7. Mine ID (Contractor)
Section II—Justification for Action	
Change From	То
14. Initial Action Order	Citation
Reason Failed to modify line #14 from box (B) Order to box (A)	A) Citation when line #12 was modified.
14. E. Citation/Order Number 7097827	7097825
Reason Failed to modify line #14, E from Order #7097827 to 0	Citation #7097825 when line #12 was modified.
Missed modifying line no. 14, Ini (A) Citation and line #14, E from Orde line no.12, Type of Action was modifie	

								See Continuation Form
Section III-Subsec	quent Action Tales	NO.						
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Vecated	D. Terminated	E. Modified
Section IV-Inspec	tion Date							
9. Type of Inspec	ction E01		10. E	vent Number 4054745				
'Signature_/				AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Ck	ock)
	anald	700	Tal	wait 24033	<u> </u>	06/09/2005	1520	

MSHA Form 7000-3a, Mar 85 (revised)

Melic

	04-1		-	
Mine	Citat	ION/	'Or	ae:

|--|

1. Date Mo Da Yr 2. Time (24 Hr. Clock)										
	3. Citation/ Order Number 7097835									
06/02/2005 0715 4. Served To	5. Operator									
Bill Currence Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY INC									
6. Mine	7.1510									
SAGO MINE	7. Mine ID 46-08791 (Contractor)									
8. Condition or Practice	8a, Written Notice (103g)									
The #3 scoop battery charging sta	tion located in the #7 main intake entry									
	at #58 block crosscut between #6 entry (secondary escape way) and #7 intake									
	ere found by this inspector. (1) The #3									
	ng a set of scoop batteries which is not									
ventilated directly to a return air of										
	that travels directly to the 001-0 & 002									
	ed for face ventilation purposes. (3) The									
#3 scoop battery charging station is										
	ould be found to indicate that a pre-									
	ne #3 scoop charging station. (5) This									
	#7 intake entry which is also the scoop									
supply haulroad and this haulroad is	See Continuation Form (AISHA Form 7000 2a)									
9. Violation A. Health B. Section	See Continuation Form (MSHA Form 7000-3a)									
Safety of Act	Title 30 CFR 75.340(a)(1)(i)									
Other _	NA AZ									
Section II-Inspector's Evaluation 10. Gravity:										
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred									
B. Injury or illness could rea-										
sonably be expected to be: No Lost Workdays Lost V	rkdays Or Restricted Duty Permanently Disabling 😿 Fatal 🗌									
C. Significant and Substantial: Yes 🗹 No 🗌	D. Number of Persons Affected: 001									
1. Negligence (check one) A. None B. Low (Moderate ☐ D. High ☑ E. Reckless Disregard ☐									
	Moderate ☐ D. High ☑ E. Reckless Disregard ☐ uance (check one) Citation [, 'Order ☑ Safeguard ☐									
12. Type of Action 104(d)(2) (1) 13. Type of is 14. Initial Action A. Citation ■ B. Order ▼ C. Safeguard ■ D. Written Notice ■	Luance (check one) Citation (
12. Type of Action 104(d)(2) (1) 13. Type of Is 14. Initial Action A. Citation □ B. Order ☑ C. Safeguard □ D. Written Notice □ 15. Area or Equipment The #3 scoop charging	Luance (check one) Citation [. 'Order Safeguard Safeguard F. Dated Mo Da Yr 05/20/2005 Station located in the #7 Intake entry									
12. Type of Action 104(d)(2) (1) 13. Type of is 14. Initial Action A. Citation ■ B. Order ▼ C. Safeguard ■ D. Written Notice ■	Luance (check one) Citation [. 'Order Safeguard Safeguard F. Dated Mo Da Yr 05/20/2005 Station located in the #7 Intake entry									
12. Type of Action 104(d)(2) (1) 13. Type of Is 14. Initial Action A. Citation ■ B. Order ▼ C. Safeguard ■ D. Written Notice ■ 15. Area or Equipment The #3 scoop charging	Luance (check one) Citation [. 'Order Safeguard Safeguard F. Dated Mo Da Yr 05/20/2005 Station located in the #7 Intake entry									
12. Type of Action 104(d)(2) (1) 13. Type of Is 14. Initial Action A. Citation □ B. Order ▼ C. Safeguard □ D. Written Notice □ 15. Area or Equipment The #3 scoop charging at #58 block which is along the scoop	Luance (check one) Citation [. 'Order Safeguard Safeguard F. Dated Mo Da Yr 05/20/2005 Station located in the #7 Intake entry									
12. Type of Action 104(d)(2) (1) 13. Type of Is 14. Initial Action A. Citation ■ B. Order ▼ C. Safeguard ■ D. Written Notice ■ 15. Area or Equipment The #3 scoop charging at #58 block which is along the scoop 16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock Section III—Termination Action	E. Citation 7097827 F. Dated Mo Da Yr 05/20/2005 station located in the #7 Intake entry supply haulroad.									
12. Type of Action 104(d)(2) (1) 13. Type of Is 14. Initial Action A. Citation □ B. Order ☑ C. Safeguard □ D. Written Notice □ 15. Area or Equipment The #3 scoop charging at #58 block which is along the scoop 16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock Section III—Termination Action 17. Action to Terminate Terminated due to the	E. Citation 7097827 F. Dated Mo Da Yr 05/20/2005 station located in the #7 Intake entry supply haulroad.									
12. Type of Action 104(d)(2) (1) 13. Type of Ist 14. Initial Action A. Citation □ B. Order ▼ C. Safeguard □ D. Written Notice □ 15. Area or Equipment The #3 scoop charging at #58 block which is along the scoop 16. Termination Due A. Date Mo Da Yr Section III—Termination Action 17. Action to Terminate Terminated due to the to the #60 block crosscut located between the scoop of the section III—Termination Action Terminate Terminated due to the to the #60 block crosscut located between Internation IIII—Terminated due to the IIII—Terminate IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	Safeguard Torder Mo Da Yr Order Number E. Citation 7097827 F. Dated Mo Da Yr 05/20/2005 station located in the #7 Intake entry supply haulroad. E. Citation 7097827 F. Dated Mo Da Yr 05/20/2005									
12. Type of Action 104(d)(2) (1) 13. Type of Is. 14. Initial Action A. Citation ■ B. Order ▼ C. Safeguard ■ D. Written Notice ■ 15. Area or Equipment The #3 scoop charging at #58 block which is along the scoop 16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock Section III—Terminate Terminated due to the to the #60 block crosscut located bettentry. This #3 scoop charging station 18. Terminated A Date Mo Da Yr B. Time (24 Hr. Clock)	Safeguard Torder Mo Da Yr Order Number E. Citation 7097827 F. Dated Mo Da Yr 05/20/2005 station located in the #7 Intake entry supply haulroad. E. Citation 7097827 F. Dated Mo Da Yr 05/20/2005									
12. Type of Action 104(d)(2) (1) 13. Type of Is 14. Initial Action A. Citation ■ B. Order ▼ C. Safeguard ■ D. Written Notice ■ 15. Area or Equipment The #3 scoop charging at #58 block which is along the scoop 16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock Section III—Terminate Terminated due to the to the #60 block crosscut located bet entry. This #3 scoop charging station 18. Terminated Mo Da Yr	E. Citation 7097827 F. Dated Mo Da Yr 05/20/2005 station located in the #7 Intake entry supply haulroad. #3 scoop charging station being moved ween #8 intake entry and #9 return is now set up ready for									
12. Type of Action 104(d)(2) (1) 13. Type of Is. 14. Initial Action A. Citation ■ B. Order ▼ C. Safeguard ■ D. Written Notice ■ 15. Area or Equipment The #3 scoop charging at #58 block which is along the scoop 16. Termination Due A. Date Mo Da Yr Section III—Termination Action 17. Action to Terminate Terminated due to the to the #60 block crosscut located bettentry. This #3 scoop charging station 18. Terminated A. Date Mo Da Yr O6/02/2005 B. Time (24 Hr. Clock)	E. Citation 7097827 F. Dated Mo Da Yr 05/20/2005 station located in the #7 Intake entry supply haulroad. #3 scoop charging station being moved ween #8 intake entry and #9 return is now set up ready for									
12. Type of Action 104(d)(2) (1) 13. Type of Is. 14. Initial Action A. Citation ■ B. Order ▼ C. Safeguard ■ D. Written Notice ■ 15. Area or Equipment The #3 scoop charging at #58 block which is along the scoop 16. Termination Due A. Date Mo Da Yr Section III—Termination Action 17. Action to Terminate Terminated due to the to the #60 block crosscut located bettentry. This #3 scoop charging station 18. Terminated A. Date Mo Da Yr 06/02/2005 B. Time (24 Hr. Clock) Section IV—Automated System Data 19. Type of Inspection Folio 20. Event Number A05/17/15	E. Citation 7097827 F. Dated Mo Da Yr 05/20/2005 station located in the #7 Intake entry supply haulroad. e #3 scoop charging station being moved ween #8 intake entry and #9 return is now set up ready for									

ASHA form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration are established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the "recement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudaman at Small Business Administration, Office of the National Ombudaman, 409 Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudaman is in addition to any other rights you may have, using the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine	Citation/Order
A 4	

Continuation

U.S. Department of Labor Mine Safety and Health Administration



Section I—Subsequent Action/Continuation Data				
1. Subsequent Action 1a. Continuation 2. Dated (Original	Mo Da Issue) 06/02/2003	3. Citation/ Order Number	7097835	
1. Served To		. Operator		
Bill Currence . Mine Foreman			INIA MINING COMPANY	Y INC
6. Mine SAGO MINE	7	. Mine ID 46-0879	1 (Cont	ractor)
Section II—Justification for Action				
Continuation of 8. Condition or Practice				
regularly traveled by the mout by John Travise, received A.M. on 06/02/2005. John Trafailure to record and take unwarrantable failure to commediately deenergized and	ed by 6 Avise has engaction on a kappy with a magnetic for the control of the	Jas no haz aged in aggra nown hazard. andatory stan	ards observed at vated conduct by This violation is dard. The mine or	6:00 his an perator
Continuation of 17. Action to Terminate				
service.				

_								See Continuation Form
Section III-Subse	quent Action Tak	en						
8. Extended To	A. Date Mo	Da	Yr B. Ti	me (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data							
9. Type of Inspe	ction E01)	10. Event N	umber 4054745				
11. Signature	nald	Posla	hait	/ AR Number 24033	12. Date	Mo Da Yr 06/02/2005	13. Time (24 Hr. Ck 0715	ock)
Farm 7000	3- Mar 95 /mil							

Mine	Citation/	Order

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Continua	HOH					Mille Safety and Health Administration								
Section I-Su	bsequent Action	/Continuation	Deta											
1. Subsequ	ent Action 1a	. Continuation		2. Dated (Original list		6 06/02	Da 2/200	•••	3. Citation/ Order Number	7097835 - 01				
Served T		e Foreman						5. Operati		GINIA MINING CO	MPANY INC			
6. Mine SAGO M	IINE							7. Mine IC	46-0879)1	(Contractor)			
Section II—Ju	stification for A	ction												
Change			From						To					
12. Type of	Action1		104(d	(2)					104(d)(1)					
Reason	Issued ur	nder the wro	ong typ	e of action	in error.									
	Issued	under	the	wrong	type	of	ac	tion	in error.	•				

See Continuation Form Section III-Subsequent Action Taken 8. Extended To A. Date Мо B. Time (24 Hr. Clock) ☐ C. Vacated ☐ D. Terminated E. Modified Section IV-Inspection Data 9. Type of Inspection E01 10. Event Number 4054745 11. Signature AR Number 13. Time (24 Hr. Clock) 12. Date Mo Da Yr 24033 06/07/2005 0359 Form 7000-3a, Mar 85 (revised)

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Mine Citation	/Order
Continuation	



	<u> </u>
Section I—Subsequent Action/Continuation Data	
1. Subsequent Action 1a. Continuation 2. Deted Mo (Original Issue) 06/0	Da Yr 3. Citation/ 7097835 - 02 Order Number 7097835
Served To	5. Operator
Lill Currence Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE	7. Mine ID (Contractor) 46-08791
Section II—Justification for Action	
Change From	То
14. Initial Action Order	Citation
Reason Failed to modify line #14 from box (B) Order to box	x (A) Citation when line #12 was modified.
14. E. Citation/Order Number 7097827	7097825
Reason Failed to modify line #14, E from Order #7097827	to Citation #7097825 when line #12 was modified.
• •	nitial Action from box (B) Order to box Order #7097827 to Citation #7097825 when Fied.

							See Continuation Form
Section III-Subse	quent Action Take	D IT					
8. Extended To	A. Date Mo	De Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	ction Data						
9. Type of inspe	ction E01	10.	Event Number 4054745				
11. Signature	onald	Vosla	Luait 24033	12. Date	Mo Da Yr 06/09/2005	13. Time (24 Hr. Ck	ock)
4 Form 7000	-3a Mar 85 (revie	art)	•				

Form 7000-3a, Mar 85 (revised)

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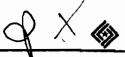
Mine	Citation	/Order
IAIIITE	Citation	





Section IViolat	ion Data												
1. Data	Mo Da 05/20/2		2. Time (clock) 20					3. Citation/ Order Num	ber 709	7827	
ed To			an				5. Operator ANKER WEST VIRGINIA MINING COMPANY INC						
6. Mine	C D	Olona					Mine ID		-08791				
SAGO MI	NE							40-	-00/91			(Contractor)	
8. Condition or												itten Notice (103g)	
that th been re conduct	e fol cogni ing a	lowir zed k n mir	ng cor oy any ne exa	nditi / pru mina	ions were o ident mine ation to de	observ exami etect	red l ner haza	by th give ards	nis in en the at th	spector respor ere ear	and s sibili liest	possible	
stages. A excessive amount of combustible materials in the form of loose coal,													
coal fines and float coal dust is allowed to accumulate at the #3 conveyor belt drive and take-up. The accumulations under the bottom conveyor belt													
					ngth by 24								
					damp to the								
roller	is ac	hbod	Out F	+b	ons for a c	ation	ice ()	reet	In Tend	th and	one bottom accumulated	
					surfaces of				.oat C	coar dus	t nas	accumurated	
on prev	10031	A TOC	.k dus	cea	Surraces (or cire	: 1111	ie		See Contin	uetion Form A	MSHA Form 7000-3a) 🗹	
9. Violation	A. Health Safety Other	/☑	B. Section of Act			C. Part/S Title 3	ection of	of		75.360(!	
Section IIinspe													
10. Gravity:													
A. Injury or	-		No Likelih	ood 🗌	Unlikely _	Re	esonab	iy Likely	☑	Highly Likely [_ ∝	ccurred	
B. Injury or			No Lo	st Work	days [] Lost	Workdays	Or Resi	tricted Du	etv 🔽	Permanenti	Disabling [Fatal [
	nt and Sut			s 📝	No []				 -). Number of P			
11. ivegligence	(check on	e)	A. None		B. Low 🔲	C. Moder	ite 📋		D. High 😾	Ē.	Reckless Dis	regard [
12. Type of Act	tion	104(d)(1)		13. Type of	f Issuance (check o	ne)	Cita	ition 🗌	Order 🗹	Safeguard	
14. Initial Action A. Citation		der 🗌	C. Safegu	ard [D. Written Notice [itation/ order Nu	mber	709	97825	F. Dated	Mo Da Yr 05/20/2005	
15. Area or Equ	uipment		The #	3 co	al conveyo	or bel	t di	rive.	take	-up and	CONVE		
		of 70	feet	in	length.				care	up and		yor bert	
16. Termination	n Due	A. Date	Mo Da	Yr	B. Time (24 Hr. Clo	ck)							
Section IIITerm		on											
17. Action to Te seen in		area	John in t	Trav he p	vise (Shif ore-shift a	t For and on	emar -shi	ı) i İft r	nner ecord	the con	dition	s that he	
18. Terminated	A. Date		a Yr)/2005	B. Time	(24 Hr. Clock)	0735							
Section IV-Autor	nated Syste		<u> </u>										
9. Type of Insi	pection	E01	20. Event	Number	405474	5	21. F	rimary or	Mill		_		
22. Signature	Rona	do	Postal	un's	<i>t</i>					23. AR Nu	mber	24033	
ASHA Form 7000	3, Mar 85	(revised)	in accord	iance with	h the provisions of the S	Small Busine	ss Regu	latory Enfo	rcement Fe	imens Act of 100	K the Small R	trainess Administration	
nas established a necrotorsem	National Sent actions.	mail Busine The Omb	nqewau au nqewau või	HELEV OVE	(egulatory Ombudsmen Judies anforcement act	tand 10 Reg Milias and r	ional Fa	mess Boa	erds to receiv	ve comments fro	m small busing	esses about federal wish to comment on the tional Ombudamen, 409	





?ection i- Violati			Ta								To			<u> </u>	
1. Date	Mo Da \\ 05/20/20		2. Time (Hock) 15						3. Cital	ition/ ier Numbe	, 709	7825	•
'ved To	USIZUIZU	,05	<u> </u>					5. Operator							
Travis	e - Shift l	Forema	m					ANKER		T VIRC	INIA I	MININ	G COM	PANY	INC
U. IVILOR					-			7. Mine ID						_	
SAGO MINE									46	-0879	Ţ				(Contractor)
8. Condition or													8a. Wr	itten Not	tice (103g)
A e	xcessi	ve a	mount	of	comb	ustibl	e r	nateria	ıls :	in th	e fo	rm of	loos	e co	oal,
coal fines and float coal dust is allowed to accumulate at the #3 conveyor															
belt drive and take-up. The accumulations under the bottom conveyor belt															
measured 9 1/2 feet in length by 24 inches wide by 7 to 11 inches deep these															
accumulations range from powder dry to damp. The bottom conveyor belt is															
running in the accumulations for a distance of 7 feet in length and one bottom															
belt ro															
															6 inch
water 1															0 2.1.0.1
bearing															deen
by 70 f															
black to												Line C	Oucii	and	15
DIACK C	o redo	11211	DIOWI	. 111	COTO	i. Acc	umi	IIacioi.	is ai	Cound		a Cartinus	tian Farm A	ACUA E	orm 7000-3e) 🗹
9. Violation	A. Health	- -	B. Section				C 6	Part/Section of			- 39	O CONTRIDE		101 11 0	1111 7000-32)
3. Violation	Safety		of Act					tte 30 CFR	'			75.400			
	Other											75.100			
Section II-Inspec	ctor's Eveluet	ion													
10. Gravity:										_			_		
A. Injury or	·	• •	No Likelih	000		Unlikely		Reasonabl	y Likely	Y	Highly L	lkely _	<u> </u>	сситес	
B. Injury or i sonably b	illness could be expected		No Los	st Work	cdays 🗌	Lost	Work	days Or Rest	ricted De	uty 🛂	Perm	nanently D	isabling [Fatal 🔲
£ Significa	nt and Subs	tantial:	Ye	s 🔽	No [7					D. Numl	ber of Pen	sons Affec	ted:	001
COI,ligence	(check one)	A. None		B. Low	, 🗆	C. M	oderate [D. High		E Re	ckless Dis	recard	
12. Type of Act		104(d				, 		nce (check o			itation 🔽		der 🗌		Safeguard
14. Initial Action		104(0	///			1.0.1,000		E. Citation/					F. Dated		Mo Da Yr
A. Citation		er 🗌	C. Safegua	ard 📋	D. Writ	ten Notice		Order Nu	mber				7.02.0	•	
15. Area or Equ	uipment														
16. Termination	1 Due	A. Date	Mo Da		B. Time	(24 Hr. Clo	ck)	0600	١	1					
			05/20/2	005				0000		<u></u>					
Section III-Termi		<u> </u>													
17. Action to Te	erminate														
			_												
18. Terminated	A. Date	Mo D	a Yr	B. Tim	e (24 Hr.	Clock)									
Section IV-Autor	nated System	Deta													
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MSHA Form 7000	0-3, Mer 85 (r	evised)	in accord	iance wi	th the prov	isions of the S	mell E	lusiness Regul	atory Enf	forcement	Fairness /	lct of 1996	the Small I	Business	Administration

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudaman annually evaluates enforcement activities and raise each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudaman at Small Business Administration, Office of the National Ombudaman, 409

37 SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudaman is in addition to any other rights you may have, he right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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